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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

UNITED STATES OF AMERICA

Case No. 6:12-CR-00330-AA

v.

LOGAN SCOTT MITCHELL,
Defendant.

**GOVERNMENT'S
SENTENCING MEMORANDUM**

Sentencing Date: November 5, 2013
10:00 a.m.

The United States of America, by and through S. Amanda Marshall, United States Attorney for the District of Oregon, and Amy E. Potter, Assistant United States Attorney, hereby submits this sentencing memorandum in anticipation of the sentencing of defendant Logan Scott Mitchell. Defendant pleaded guilty to being a felon in possession of a firearm on July 18, 2013.

I. FACTUAL BACKGROUND

On February 21, 2012, a state search warrant was served on Logan Scott Mitchell's Albany residence. Law enforcement found methamphetamine, marijuana, firearms, ammunition,

and stolen property during the execution of this search warrant. A loaded .45 caliber pistol was found in a dresser drawer located in defendant's bedroom. Six additional firearms were in a gun safe. One of the firearms was stolen.

II. GUIDELINES CALCULATIONS

The parties agree that the following guideline calculation apply in defendant's case:

(1) USSG §2K2.1(a)(4) – Base Offense Level	20
(2) USSG §2K2.1(b)(1)(A) – 7 firearms	2
(3) USSG §2K2.1(b)(4) – stolen firearm	2
(4) USSG § 3E1.1 – Acceptance of Responsibility	- 3
Total Offense Level	21

Defendant is a criminal history category V, resulting in a guideline range of 70-87 months.

III. SENTENCING RECOMMENDATION

Defendant, who is a felon, was in possession of multiple firearms. At least one of the firearms was stolen and he was in possession of other stolen property. He spent time in custody until he was released on pretrial supervision in June 2012. He has performed well since his release. A low-end sentence of 70 months' imprisonment is appropriate considering the nature and circumstances of the offense, the need for deterrence, and the history and characteristics of the defendant. *See* 18 U.S.C. § 3553.

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IV. CONCLUSION

A low-end, guideline sentence of 70 months imprisonment is sufficient, but not greater than necessary, to comply with the factors under 18 U.S.C. § 3553(a).

Dated this 30th day of October 2013.

Respectfully submitted,

S. AMANDA MARSHALL
United States Attorney

/s/ Amy E. Potter
AMY E. POTTER
Assistant United States Attorney